

EXHIBIT C

FILED
LOS ANGELES SUPERIOR COURT

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5 Attorneys for Plaintiff
Patricia Kozminski, on behalf of
all others similarly situated

*Caren S. Sill
Judge Ch*

MAR 13 2003

JOHN A. CLARKE, CLERK
S. Hall
BY S. GABB, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

11 PATRICIA KOZMINSKI, an individual, on behalf of all others similarly situated,) Case No. BC292065
12) CLASS ACTION
13 Plaintiff,) COMPLAINT FOR FAILURE TO PAY
14 vs.) OVERTIME WAGES; WAITING TIME
15 CHARMING SHOPPES OF DELAWARE,) PENALTIES; AND UNFAIR BUSINESS
16 INC., a Delaware corporation; FASHION) PRACTICES
17 BUG OF CALIFORNIA, INC., a California)
corporation; and DOES 1 through 100,)
inclusive,)
18)
19 Defendants.)

21 Plaintiff alleges:

I. THE PARTIES, JURISDICTION AND VENUE

24 1. Defendant CHARMING SHOPPES OF DELAWARE, INC., a corporation established in and under the laws of the State of Delaware, with its principal place of business in Bensalem, Pennsylvania. At all times mentioned herein, CHARMING SHOPPES was doing business in California as "Fashion Bug" and "Fashion Bug Plus."

25 "CHARMING SHOPPES"), is a corporation established in and under the laws of the State of Delaware, with its principal place of business in Bensalem, Pennsylvania. At all times mentioned herein, CHARMING SHOPPES was doing business in California as "Fashion Bug" and "Fashion Bug Plus."

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UE
RECEIPT #: CCH-822427
DATE PAID: 03/14/03 12:05:19 PM
PAYMENT: \$ 24.30
RECEIVED: *NC* thereafter
CASHIER: *NC*
CHANGE: *NC*
CARD: *NC*
CHEQUE: *NC*
the laws of the State of
At all times mentioned
"Fashion Bug" and 0310

1 2. Defendant FASHION BUG OF CALIFORNIA, INC. (hereinafter "FASHION
2 BUG"), is a corporation established in and under the laws of the State of California, with its
3 principal place of business in Bensalem, Pennsylvania.

4 3. At all times herein mentioned, the primary business of CHARMING SHOPPES
5 and FASHION BUG and Does 1 through 100 (hereinafter referred to collectively as
6 "defendants") was the operation of retail stores open to the general public in numerous counties
7 of California. At all times herein mentioned, these retail stores operated under the names of
8 "Fashion Bug" and "Fashion Bug Plus."

9 4. Venue in this case is proper in the County of Los Angeles in that CHARMING
10 SHOPPES does not have a principal place of business in California, therefore, it may be sued in
11 any county in the State. (See Easton v. Superior Court (1970) 12 Cal.App.3d 243, 246.) In
12 addition, plaintiff PATRICIA KOZMINSKI was employed in retail stores operated by defendants
13 that were located in Los Angeles County, California.

14 5. Plaintiff PATRICIA KOZMINSKI is an individual over 18 years of age and, within
15 the past four (4) years, was employed by defendants as a Store Manager in one or more of
16 defendants' retail stores in Los Angeles County, California.

17 6. The true names and capacities, whether individual, corporate, associate, or
18 otherwise, of defendant Does 1 though 100, and each of them, are unknown to plaintiff who
19 therefore sues said defendants by such fictitious names and asks leave to amend this Complaint to
20 show defendants' true names and capacities when the same have been ascertained. Plaintiff is
21 informed and believes and thereon alleges that each of the defendants designated herein as a Doe
22 is legally responsible in some manner for the events and happenings referred to herein, and
23 proximately caused the damages to plaintiff alleged in this Complaint.

24 7. At all times herein mentioned, each defendant was the agent and employee of each
25 of the remaining defendants, and in doing all of the things hereinafter mentioned, was acting
26 within the scope of said agency and employment, and with the permission and consent of its co-
27 defendants.

28 / / /

CLASS ACTION ALLEGATIONS
(First, Second and Third Causes of Action)

II.
FIRST CAUSE OF ACTION

**(Class Action by Plaintiff on Behalf of All Other
Store Managers Similarly Situated for Failure
to Pay Overtime, against all Defendants)**

8. Plaintiff incorporates by reference each and every allegation contained in Paragraphs 1 through 7 as though set forth in full herein.

8 9. At all relevant times herein, the Industrial Welfare Commission Wage Orders
9 contained in Title 8 of the California Code of Regulations (hereinafter "Wage Orders") applied to
10 the plaintiff and each class member in his or her employment with defendants, and provided for
11 payment of an overtime premium of not less than one and one-half (1½) the employee's regular
12 rate of pay for all hours worked in excess of eight (8) hours in a day or forty (40) hours in the
13 work week.

14 10. Throughout their entire employment with defendants, neither plaintiff nor any class
15 member in the position of Store Manager was exempt from the provisions of the applicable Wage
16 Orders. In their position as Store Managers, defendants failed to employ plaintiff and class
17 members primarily in an administrative, executive, or professional capacity as those terms are
18 defined by the applicable Wage Orders.

11. Defendants' realistic requirements of the job of plaintiff and class members in the
position of Store Manager required that they work overtime without pay and regularly spend
more than fifty percent (50%) of their time performing non-exempt work.

22 12. Throughout plaintiff's and each class member's employment with defendants,
23 defendants required plaintiff and each class member in the position of Store Manager to regularly
24 work in excess of eight (8) hours per day or forty (40) hours per work week. Although
25 defendants should have compensated said Store Managers at the rate of one and a half (1½) times
26 their regular hourly wage for all hours worked in excess eight (8) hours per day or forty (40)
27 hours per work week, they were compensated by defendants at a straight time rate set by an
28 annual salary.

1 13. The precise information regarding plaintiff's and each class member's wages and
2 hours is or should be contained in defendants' records or can be established by representational
3 testimony.

4 14. Plaintiff brings this action against all defendants on behalf of all persons similarly
5 situated in California. The class that plaintiff represents is comprised of all Store Managers who
6 were paid a salary and who have worked in defendants' stores in California (stores known as
7 "Fashion Bug" and "Fashion Bug Plus") for the applicable statutory period. Plaintiff seeks against
8 defendants for each class member the balance of all unpaid wages, with interest thereon, pursuant
9 to Labor Code §1194 for uncompensated overtime pay at the rate of one and one half (1½) times
10 each class member's hourly wage for all hours worked in excess of eight (8) hours per day or
11 forty (40) hours per work week for the applicable statutory period.

12 15. The class which plaintiff represents is so numerous that joinder of all such persons
13 in impracticable and undiscoverable without this class action, and that disposition of their claims
14 in a class action is a benefit to the parties and to the Court. The class which plaintiff represents
15 can be identified through discovery proceedings on defendants.

16 16. There is a well-defined community of interest in questions of law and fact involved
17 affecting the parties to be represented in that the duties and hours of the class members would be
18 similar, if not identical, to those as hereinabove alleged concerning plaintiff, and the same law
19 would apply to those fact situations. Proof of a common state of facts will establish the right of
20 each member of the class to recover. The claim of plaintiff is typical of those of the class and
21 plaintiff will fairly and adequately represent the interests of the class.

22 17. There is no plain, speedy or adequate remedy other than by maintenance of this
23 class action since plaintiff is informed and believes that the overtime wages owed to each class
24 member is relatively small in amounts of money, making it economically unfeasible for each one to
25 separately pursue his or her remedies other than in a class action. Consequently, there would be a
26 failure of justice but for the maintenance of the present class action.

27 18. As a direct and proximate result of defendants' violation of the overtime provisions
28 in the applicable Wage Orders, there is due and owing to plaintiff and each class member overtime

1 wages in an amount to be determined at the time of trial, and at a minimum, in a combined
2 amount in excess of the jurisdiction of the Superior Court. Pursuant to Labor Code §1194,
3 plaintiff and the class members are entitled to recover the balance of their respective unpaid wages
4 with interest thereon.

5 19. Labor Code §1194 provides for the recovery of attorney's fees and costs in a civil
6 action to recover wages by an employee. Plaintiff has retained attorneys to represent her and the
7 class in this action and she has and will incur attorney's fees in an amount that will be determined
8 at the time of trial. Therefore, plaintiff requests an award of reasonable attorney's fees generated
9 in this action, plus costs of suit.

III.
SECOND CAUSE OF ACTION
(Class Action by Plaintiff on Behalf of All
Store Managers for Statutory Waiting Time Penalties
For Failure to Pay Wages, against all Defendants)

13 20. Plaintiff incorporates by reference each and every allegation contained in
14 Paragraphs 1 through 7, and 9 through 19, as though set forth in full herein.

15 21. Defendants failed to pay plaintiff and each class member who quit or was
16 discharged the overtime premium required by the applicable Wage Orders, despite the fact that
17 these wages were due and owing to said parties. Under California Labor Code §202, employers
18 must pay the final wages due and owing to every employee quits within seventy-two (72) hours of
19 leaving, and, Under Labor Code §201, for every employee who is discharged, payment is due at
20 the end of his or her employment. Where employers intentionally or willfully fail to pay wages to
21 an employee within these prescribed periods of time, Labor Code §203 requires that the wages of
22 the employee shall continue as a penalty from the due date for a period of not more than thirty
23 (30) days.

24 22. Plaintiff brings this action against all defendants on her own behalf and on behalf of
25 all persons similarly situated in California. The class plaintiff represents is comprised of all Store
26 Managers employed at defendants' retail stores in the State of California (stores known as
27 "Fashion Bug" and "Fashion Bug Plus") who were paid a salary and who have worked in excess
28 of eight (8) hours per day or forty (40) hours per work week for the statutory period and who

1 either quit or were discharged from defendants' employment for a period in excess of thirty (30)
2 days.

3 23. Plaintiff seeks against defendants for each class member the statutory waiting time
4 penalty under Labor Code §203. Defendants intentionally and willfully failed to pay plaintiff and
5 each class member the overtime premium required by the applicable Wage Orders. Thirty (30)
6 days has expired since the end of each class members' employment with defendants. Therefore,
7 plaintiff shall seek an award of the statutory waiting time penalty from defendants in the amount
8 of thirty days' wages for plaintiff and each class member, with interest thereon.

IV.

THIRD CAUSE OF ACTION

**(Class Action by Plaintiff on Behalf of
All Other Store Managers Similarly Situated for
Restitution of Overtime Wages and Injunctive Relief for Unfair
Business Practices, against all Defendants)**

13 24. Plaintiff incorporates by reference each and every allegation contained in
14 Paragraphs 1 through 7, and 9 through 13, as though set forth in full herein.

15 25. The conduct of defendants, by refusing to pay the premium amounts for overtime
16 pay, violating the applicable Wage Orders, as hereinabove alleged, constitutes an unfair or
17 unlawful business practice within the meaning of Business and Professions Code §17200. (See
18 Cortez v. Purolater Air Filtration Products Co. (2000) 23 Cal.4th 163.) Pursuant to Business and
19 Professions Code §17203 and §17204, plaintiff, on her own behalf and on behalf of others
20 similarly situated, seeks restitution and disgorgement from defendants of the following: Premium
21 overtime pay withheld for all hours worked in excess of eight (8) hours per day or forty (40)
22 hours per work week by salaried Store Managers who have worked at defendants' retail stores
23 (stores known as "Fashion Bug" and "Fashion Bug Plus") during the statutory period.

24 26. The class which plaintiff represents is so numerous that joinder of all such persons
25 in impracticable and undiscoverable without this class action, and that disposition of their claims
26 in a class action is a benefit to the parties and to the Court. The class which plaintiff represents
27 can be identified through discovery proceedings on defendants.

28 27. There is a well-defined community of interest in questions of law and fact involved

1 affecting the parties to be represented in that the duties and hours of the class members would be
2 similar, if not identical, to those as hereinabove alleged concerning plaintiff, and the same law
3 would apply to those fact situations. Proof of a common state of facts will establish the right of
4 each member of the class to recover. The claim of plaintiff is typical of those of the class and
5 plaintiff will fairly and adequately represent the interests of the class.

6 28. There is no plain, speedy or adequate remedy other than by maintenance of this
7 class action since plaintiff is informed and believes that the overtime wages owed to each class
8 member is relatively small in amounts of money, making it economically unfeasible for each one to
9 separately pursue his or her remedies other than in a class action. Consequently, there would be a
10 failure of justice but for the maintenance of the present class action.

11 29. As a direct and proximate result of defendants' violation of the overtime provisions
12 in the applicable Wage Orders, there is due and owing to plaintiff and each class member
13 restitution of overtime wages in an amount to be determined at the time of trial, and at a
14 minimum, in a combined amount in excess of the jurisdiction of the Superior Court.

15 30. Defendants threaten to, and unless restrained will continue to, commit such unfair
16 business practices as hereinabove alleged. Therefore, plaintiff seeks a preliminary and permanent
17 injunction pursuant to Business and Professions Code §§17203 and 17204 to enjoin defendants,
18 and each of them, from committing such practices in the future.

19 31. Labor Code §1194 provides for the recovery of attorney's fees and costs in a civil
20 action to recover wages by an employee. Plaintiff has retained attorneys to represent her and the
21 class in this action and has and will incur attorney's fees in an amount that will be determined at
22 the time of trial. Therefore, plaintiff requests an award of reasonable attorney's fees generated in
23 this action, plus costs of suit.

V.

FOURTH CAUSE OF ACTION

FOURTH CAUSE OF ACTION
(By Plaintiff in Her Representative Capacity on Behalf of
All Other Salaried Store Managers, for Restitution of Overtime
Wages and Injunctive Relief for Unlawful and Fraudulent Business
Practices Under Business & Professions
Code §§17200, et seq., against all Defendants)

28 32. Plaintiff incorporates by reference each and every allegation contained in

1 Paragraphs 1 through 7, and 9 through 13, as though set forth in full herein.

2 33. Plaintiff pleads this Fourth Cause of Action as an alternative to the First, Second
3 and Third Causes of Action in the event that this case is not certified as a class action.

4 34. The conduct of defendants, by refusing to pay the legally required amounts of
5 overtime pay, violating the applicable Wage Orders, as hereinabove alleged, constitutes an unfair
6 or unlawful business practice within the meaning of Business and Professions Code §17200. (See
7 Cortez v. Purolater Air Filtration Products Co. (2000) 23 Cal.4th 163.)

8 35. Pursuant to Business & Professions Code §§17203 and 17204, plaintiff brings this
9 action in her representative capacity (and not a class action) on behalf of all Store Managers
10 employed at defendant's retail stores in the State of California (stores known as "Fashion Bug"
11 and "Fashion Bug Plus") during the statutory period. Plaintiff seeks disgorgement and restitution
12 from defendants of the following: Premium overtime pay withheld for all hours worked in excess
13 of eight (8) hours per day or forty (40) hours per work week by Store Managers employed at
14 defendants' retail stores in the State of California (stores known as "Fashion Bug" and Fashion
15 Bug Plus") during the statutory period.

16 36. As a direct and proximate result of defendants' violation of the overtime provisions
17 in the applicable Wage Orders, there is due and owing to the plaintiff and each Store Manager
18 employed at defendants' retail stores in the State of California (stores known as "Fashion Bug"
19 and "Fashion Bug Plus") during the statutory period restitution of overtime wages in an amount
20 to be determined at the time of trial, and at a minimum, in a combined amount in excess of the
21 unlimited jurisdiction of the Superior Court.

22 37. Defendants threaten to, and unless restrained will continue to, commit such unfair
23 business practices as hereinabove alleged. Therefore, plaintiff seeks a preliminary and permanent
24 injunction pursuant to Business and Professions Code §§17203 and 17204 to enjoin defendants,
25 and each of them, from committing such practices in the future.

26 38. Labor Code §1194 provides for the recovery of attorney's fees, interest and costs
27 in a civil action to recover wages by an employee. Plaintiff has retained attorneys to represent her
28 in this action and has and will incur attorney's fees in an amount that will be determined at the

1 time of trial. Therefore, plaintiff requests an award of reasonable attorney's fees generated in this
2 action, plus interest and costs of suit.

3

4 WHEREFORE, plaintiff prays for judgment, against all defendants, as follows:

5 ON THE FIRST CAUSE OF ACTION:

6 1. For damages according to proof for plaintiff and for each class member;
7 2. For interest from and after dates to be determined at the legal rate;
8 3. For reasonable attorney's fees;

9 ON THE SECOND CAUSE OF ACTION:

10 4. For the statutory waiting time penalty, under Labor Code §203, according to proof
11 for plaintiff and for each class member;
12 5. For interest from and after dates to be determined at the legal rate;
13 6. For reasonable attorney's fees;

14 ON THE THIRD CAUSE OF ACTION:

15 7. For restitution and disgorgement of premium overtime pay for plaintiff and for all
16 others similarly situated according to proof;
17 8. For interest from and after dates to be determined at the legal rate;
18 9. For a preliminary and permanent injunction enjoining defendants' from committing
19 overtime violations as to the class alleged;
20 10. For reasonable attorney's fees;

21 ON THE FOURTH CAUSE OF ACTION (as an alternative to the First, Second and
22 Third Causes of Action):

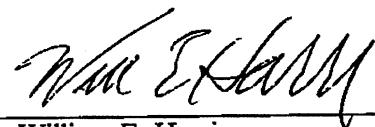
23 11. For restitution and disgorgement of premium overtime pay for plaintiff and for all
24 others similarly situated according to proof;
25 12. For interest from and after dates to be determined at the legal rate;
26 13. For a preliminary and permanent injunction enjoining defendants' from committing
27 overtime violations as to the class alleged;
28 14. For reasonable attorney's fees;

1 ON ALL CAUSES OF ACTION:

2 15. For incidental damages, according to proof;
3 16. For costs in this action; and
4 17. For any further and other relief that this Court deems proper.

5
6 HARRIS & KAUFMAN

7
8 Dated: March 13, 2003

9 By: 

10 William E. Harris,
11 Attorneys for Plaintiff
12 Patricia Kozminski

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SHORT TITLE: Kozminski v. Charming Shoppes	CASE NUMBER
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**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required in all new civil case filings in the Los Angeles Superior Court

I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 30 HOURS DAYS.

II. Select the correct district and courthouse location (4 steps - If you checked "Limited Case", skip to No. III, Pg. 4):

1 After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column 1, the Civil Case Cover Sheet case type you selected.

2 Check one Superior Court type of action in Column 2 which best describes the nature of this case.

3 In Column 3, circle the reason for the court location choice that applies to the type of action you have checked.

Applicable Reasons for Choosing Courthouse Location (See Column 3 below)

1. Class Actions must be filed in the County Courthouse, Central District	6. Location of property or permanently garaged vehicle.
2. May be filed in Central (Other county, or no Bodily Inj/Prop.Damage)	7. Location where petitioner resides.
3. Location where cause of action arose	8. Location wherein defendant/respondent functions wholly.
4. Location where bodily injury, death or damage occurred.	9. Location where one or more of the parties reside.
5. Location where performance required or defendant resides.	10. Location of Labor Commissioner Office.

4 Fill in the information requested on page 4 in item III; complete item IV. Sign the certificate.

-1- Civil Case Cover Sheet Category No.	-2- Type of Action (Check only one)	-3- Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Dam./Wrongful Death Is this an uninsured motorist case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.. 2., 4.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestosis - Personal Injury/Wrongful Death	2. 2.
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1.. 2., 3., 4.. 8.
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1.. 2., 4. 1.. 2., 4.
Other PI/PD/WD (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/PD/WD (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7271 Negligent Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Dam./Wrongful Death	1.. 2., 4. 1.. 2., 4. 1.. 2., 3. 1.. 2., 3. 1.. 2., 4.
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1.. 2., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1.. 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1.. 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1.. 2., 3.
Intellectual Property (19)	<input type="checkbox"/> A6016 Intellectual Property	2., 3.

Non-PI/PD/WD Tort (Contd)

SHORT TITLE: Kozminski v. Charming Shoppes		CASE NUMBER	
-1- Civil Case Cover Sheet Category No.			
-2- Type of Action (Check only one)			
-3- Applicable Reasons - See Step 3 Above			
Employment	Prof. Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Wrongful Termination (35)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not UD or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Real Property	Emnt Dom/Inv. Cond. (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not em. domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration Award (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm Arbitration	2., 5.

SHORT TITLE Kozminski v. Charming Shoppes		CASE NUMBER		
-1- Civil Case Cover Sheet Category No.				
-2- Type of Action (Check only one)				
-3- Applicable Reasons - See Step 3 Above				
Judicial Review (Cont'd.)	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.	
	Oth. Jud. Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
	Antitrust/Trade Reg. (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.	
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction defect	1., 2., 3.	
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.	
	Securities Litig. (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.	
	Tox. Tort/Environm (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.	
	Ins Coverage Clms from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.	
	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.	
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.	
Provisionally Complex Litig.	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.	
	Partnership/Corp. Governance(21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.	
	Enforcement of Judgment	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9 2., 3., 9 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE:

Kozminski v. Sharming Shoppes

CASE NUMBER

-4-

III. Statement of Location: Enter the address of the accident, party residence or place of business, performance, or other circumstance indicated in No. II., item 3 on Page 1 as the proper reason for filing in the court location you selected.

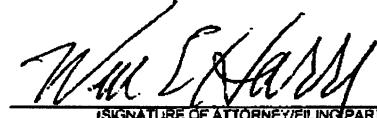
REASON: CHECK THE NUMBER UNDER ITEM 3 WHICH APPLIES IN THIS CASE			ADDRESS:
<input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			111 N. Hill St.
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012	

IV. Certificate/Declaration of Assignment: The undersigned hereby certifies and declares that the above entitled matter is properly filed for assignment to the Los Angeles courthouse in the Central District of the Los Angeles Superior Court under Section 392 et seq., Code of Civil Procedure and Rule 2(b), (c) and (d) of this court for the reason checked above. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and this declaration was executed on 3/13/03 at Sherman Oaks California.

(date)

(city)

(SIGNATURE OF ATTORNEY/FILING PARTY)



New Civil Case Filing Instructions

This addendum form is required so that the court can assign your case to the correct courthouse location in the proper district for filing and hearing. It satisfies the requirement for a certificate as to reasons for authorizing filing in the courthouse location, as set forth in Los Angeles Superior Court Local Rule 2.0. It must be completed and submitted to the court along with the Civil Case Cover Sheet and the original Complaint or Petition in ALL civil cases filed in any district (including the Central District) of the Los Angeles County Superior Court. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

PLEASE HAVE THE FOLLOWING DOCUMENTS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk (Summons forms available at the Forms Counter.).
3. Civil Case Cover Sheet form required by California Rule of Court 982.2(b)(1), completely filled out (Cover Sheet forms available at the Forms Counter).
4. This "Addendum to Civil Case Cover Sheet" form [Superior Court Form Number 982.2(b)(1)A, revised 7/99], completely filled out (Item II. does not apply in limited civil cases) and submitted with the Civil Case Cover Sheet.*
5. Payment in full of the filing fee (unless filing on behalf of state or local government or no fee is due for the type of case being filed) or an Order of the Court waiving payment of filing fees in forma pauperis (fee waiver application forms available at the Filing Window).
6. In case of a plaintiff or petitioner who is a minor under 18 years of age, an Order of the Court appointing an adult as a guardian ad litem to act on behalf of the minor (Guardian ad Litem Application and Order forms available at the Forms Counter).
7. Additional copies of documents presented for endorsement by the Clerk and return to you.

* With the exception of limited civil and any civil cases concerning bodily injury (including wrongful death) and property damage occurring in this County, Labor Commissioner Appeals, and those types of actions required to be filed in the Central District by Local Court Rule 2(b), all civil actions may be optionally filed either in the Central District or in whichever other court location the rule would allow them to be filed. When a party elects to file a general or unlimited jurisdiction civil action in Central District that would also be eligible for filing in one or more of the other court locations, this form must still be submitted with location and assignment information completed.